PUBLIC NOTICE

Permit No. 200400769
Issue Date: March 5, 2004
Expiration Date: March 26, 2004

US Army Corps
of Engineers
Kansas City District

21-Day Notice

JOINT PUBLIC NOTICE: This public notice is issued jointly with the Kansas Department of Health and Environment. The Department of Health and Environment will use the comments to this notice in deciding whether to grant Section 401 water quality certification. Commenters are requested to furnish a copy of their comments to the Kansas Department of Health and Environment, Bureau of Water - - Watershed Management Section, 1000 SW Jackson Street, Suite 420, Topeka, Kansas 66612-1367.

APPLICANT: Wolf Creek Nuclear Operating Corporation
Post Office Box 411
Burlington, KS 66839

PROJECT LOCATION (As shown on the attached drawings): This project is located in Sections 5, 8, and 17, Township 21 south, Range 16 east, near the City of Burlington, Coffey County, Kansas.

AUTHORITY: Section 404 of the Clean Water Act (33 USC 1344).

ACTIVITY (As shown on the attached drawings)**:** The applicant proposes over a four year period, to suction dredge up to 200,000 cubic yards (124 acre-feet) of accumulated silt from the Ultimate Heat Sink (UHS) within Coffey County Lake. The stated purpose of this project is to remove silt deposition from the UHS area in order to return the volume of the UHS to its original design specifications, and preclude jeopardizing the plant operation in the event of a reservoir failure.

WETLANDS: No wetlands are impacted.

ADDITIONAL INFORMATION: Additional information about this application may be obtained by contacting **Stephen H. Penaluna, Kansas State Regulatory Office, 2710 NE Shady Creek Access Road, El Dorado, Kansas 67042-8644 at telephone 316-322-8247 (FAX 316-322-8259) or via email at stephen.h.penaluna@usace.army.mil.** All comments to this public notice should be directed to the above address.

STATE AUTHORIZATION: The applicant has applied for a permit from the Kansas Department of Agriculture pursuant to Kansas Statutes Annotated 82a-301 to 305.

CULTURAL RESOURCES: Kansas City District will comply with the National Historic Preservation Act of 1966 and 36 CFR 800. We have checked the National Register of Historic Places and the Federal Register and no property listed in the Register or proposed for listing is located in the permit area. This is the extent of our knowledge about historic properties in the permit area at this time. However, we will evaluate input by the State Historic Preservation Officer and the public in response to this public notice, and we may conduct or require a reconnaissance survey of the permit area to check for unknown historic properties, if warranted.

ENDANGERED SPECIES: In compliance with the Endangered Species Act, a preliminary determination has been made that the described work will not affect species designated as threatened or endangered or adversely affect critical habitat. In order to complete our evaluation of this activity, comments are solicited from the U.S. Fish and Wildlife Service and other interested agencies and individuals.

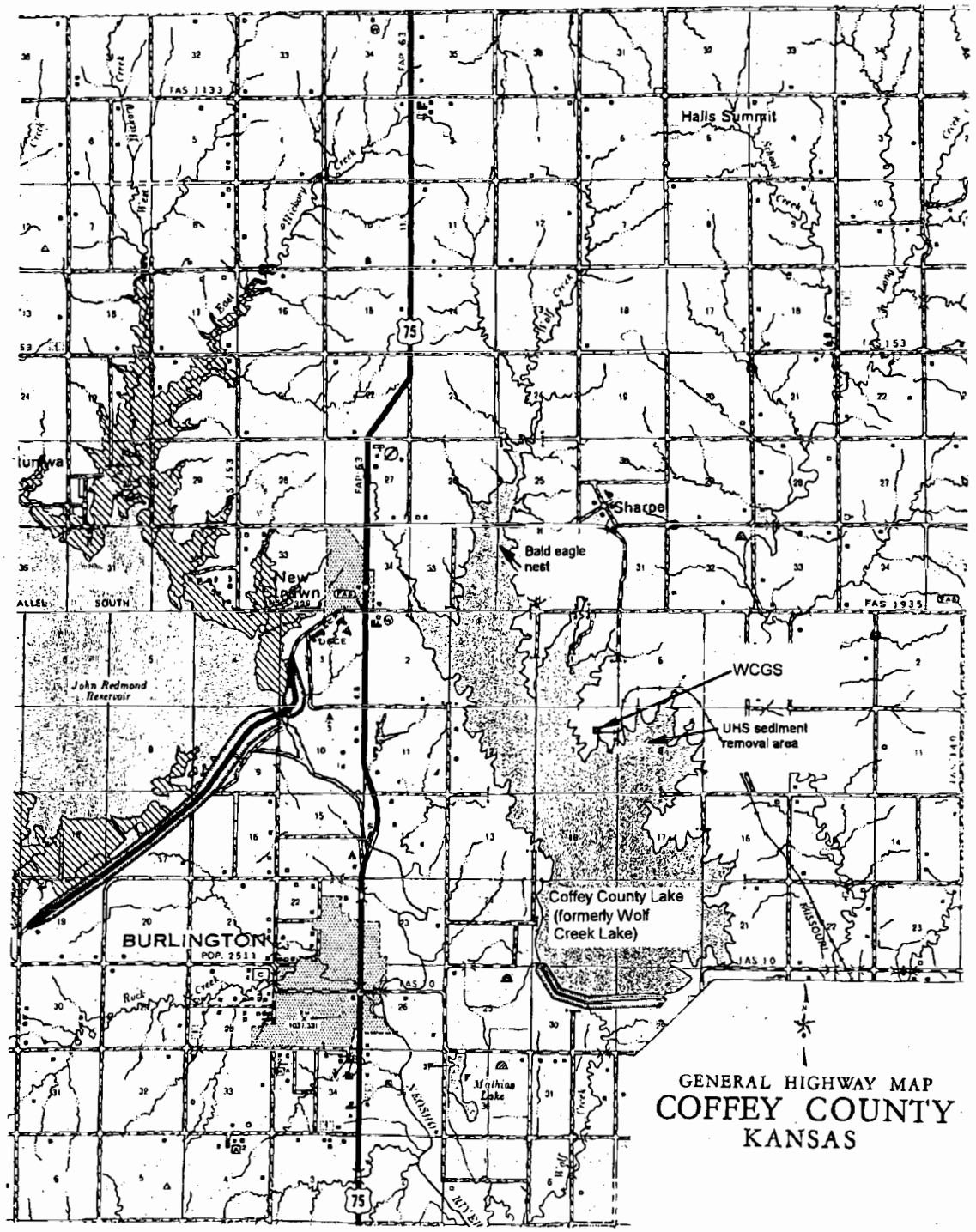
FLOODPLAINS: This activity is being reviewed in accordance with Executive Order 11988, Floodplain Management, which discourages direct or indirect support of floodplain development whenever there is a practicable alternative. By this public notice, comments are requested from individuals and agencies that believe the described work will adversely impact the floodplain.

WATER QUALITY CERTIFICATION: Section 401 of the Clean Water Act (33 USC 1341) requires that all discharges of dredged or fill material must be certified by the appropriate state agency as complying with applicable effluent limitations and water quality standards. This public notice serves as an application to the state in which the discharge site is located for certification of the discharge. The discharge must be certified before a Department of the Army permit can be issued. Certification, if issued, expresses the state's opinion that the discharge will not violate applicable water quality standards.

PUBLIC INTEREST REVIEW: The decision to issue a permit will be based on an evaluation of the probable impact including the cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, esthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and, in general, the needs and welfare of the people. The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act (33 USC 1344). The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

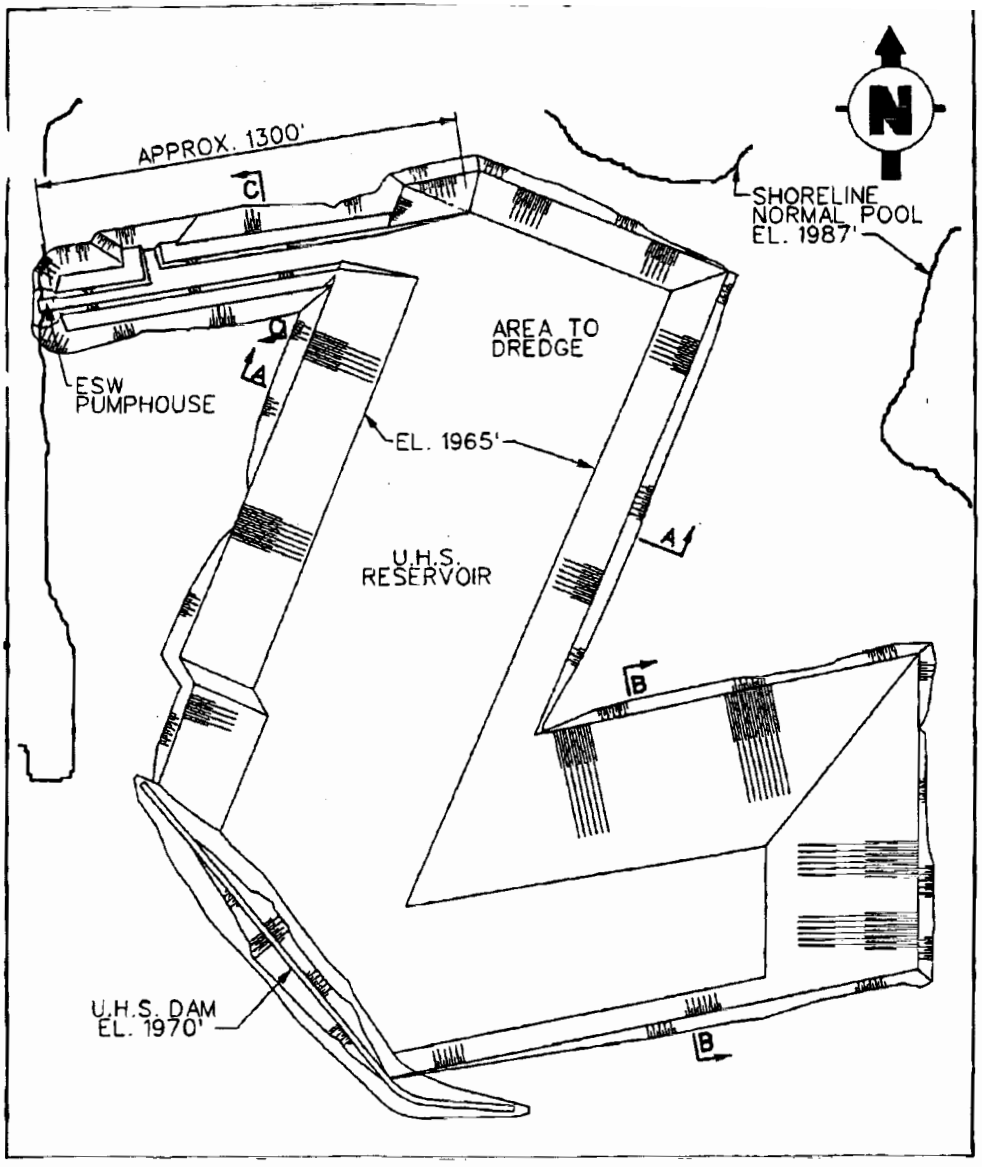
COMMENTS: This notice is provided to outline details of the above-described activity so this District may consider all pertinent comments prior to determining if issuance of a permit would be in the public interest. Any interested party is invited to submit to this office written facts or objections relative to the activity on or before the public notice expiration date. Comments both favorable and unfavorable will be accepted and made a part of the record and will receive full consideration in determining whether it would be in the public interest to issue the Department of the Army permit. Copies of all comments, including names and addresses of commenters, may be provided to the applicant. Comments should be mailed to the address shown on page 1 of this public notice.

PUBLIC HEARING: Any person may request, in writing, prior to the expiration date of this public notice, that a public hearing be held to consider this application. Such requests shall state, with particularity, the reasons for holding a public hearing.



Vicinity Map for Wolf Creek Generating Station Ultimate Heat Sink Sediment Removal Project, Coffey County Lake (formerly Wolf Creek Lake)

APPLICATION NO. 200400769
BY WOLF CREEK NUCLEAR OPERATING CORPORATION
IN COFFEY COUNTY LAKE (FORMERLY WOLF CREEK LAKE)
COFFEY COUNTY, KANSAS
SHEET 1 OF 6
DATED 4 MARCH 2004



Plan view of Ultimate Heat Sink to be restored to original design specifications by dredging.

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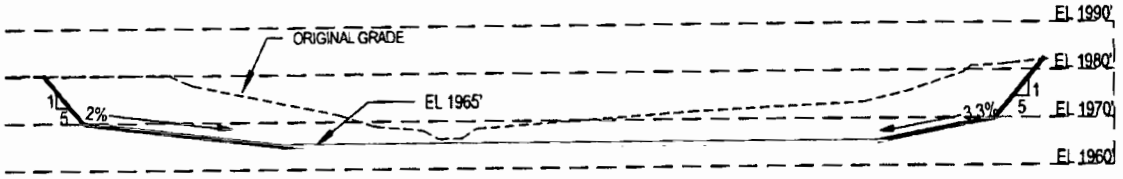
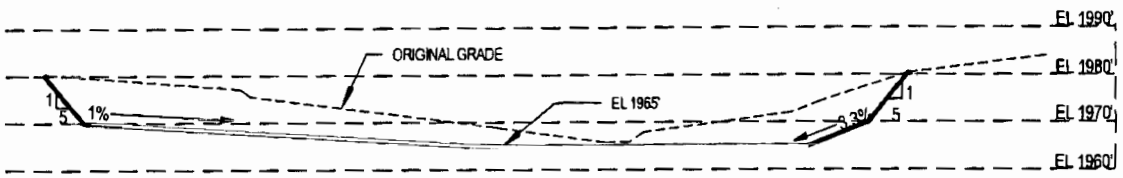
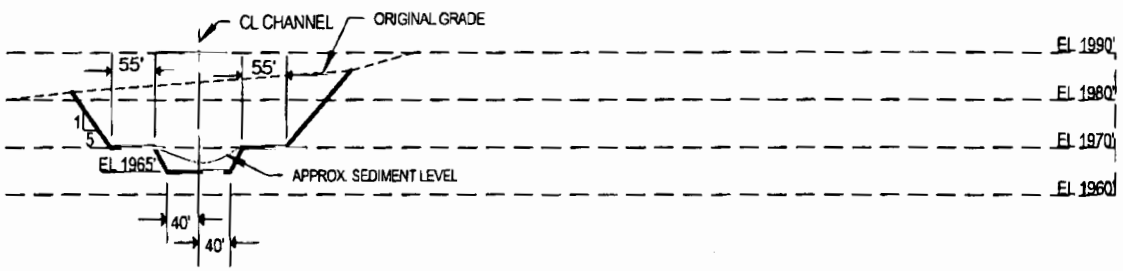
SHEET 2 OF 6
DATED 4 MARCH 2004



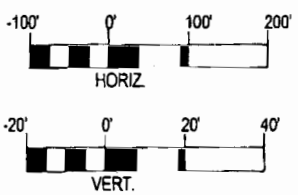
SECTION A-A



SECTION B-B



SECTION C-C



Typical cross section map of the Ultimate Heat Sink within Coffey County Lake (Formerly Wolf Creek Lake).

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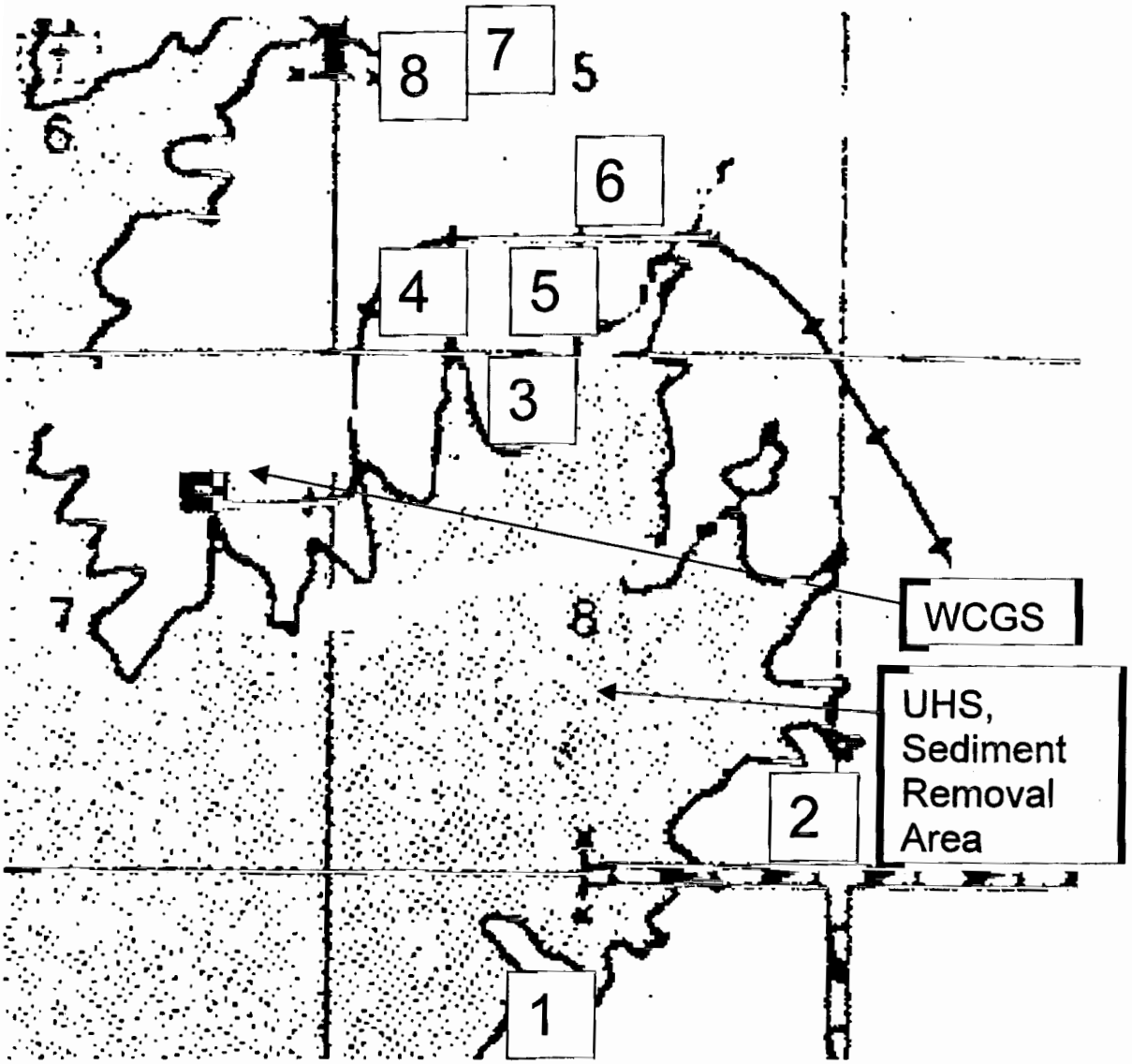

Sediment storage areas for Ultimate Heat Sink dredging at Wolf Creek Generating Station. Storage sites are numbered in the boxes. See Table for storage site descriptions.

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WCGS Sediment Storage Sites

The sediment storage sites will be located on upland areas adjacent to the UHS portion of Coffey County Lake (CCL). Wildlife habitats involving large amounts of undisturbed native prairie areas, as well as any potential wetland habitats, were specifically avoided. Dikes will be constructed in upland areas and will have water control structures installed. The discharge water velocity will be slowed to control erosion using riprap, or other suitable material. A minimum of two silt control structures (ie. staked bales, silt curtains) will be installed in the discharge from each pool to prevent residual sediment from returning to CCL. A permanent grass cover will be established on pool dikes and disturbed soil.

No listed threatened or endangered plant or animal species have been observed on any of the sites. The established bald eagle nest at CCL is approximately 2.5 miles from the sediment storage sites.

Storage site details are as follows:

Storage Site #	Area's previous use	Existing ground cover	Sediment storage	Max dike height	Max Cap	Drain area	Future use potential
1	Disturbed during WCGS construction	Domestic grasses and small trees	21 (acre ft)	8 (ft)	40 (acre ft)	none	Sediment removal and reuse, wildlife habitat
2	Idled cropland	Brush and small trees, cropland successional forbs and grasses	28	8	48	10 (acres)	Sediment removal and reuse, wildlife habitat.
3	Idled cropland	Brush and small trees, cropland successional forbs and grasses	18	8	33	5	Sediment removal and reuse, wildlife habitat.

Site #	Area's previous use	Existing ground cover	Sediment storage	Max dike height	Max Cap	Drain area	Future use potential
4	Disturbed during WCGS construction	Domestic grasses, some perennial native grass, small trees	35	12	48	20	Sediment removal and reuse, shallow water habitat for wildlife
5	Idled cropland and meadow	Cropland successional plants dominate, small eastern red cedar, osage orange	11	12	20	55	Sediment removal and reuse, Managed as shallow water habitat
6	Currently cropland	Annual crops, grass waterway	20	12	30	40	Sediment removal and reuse, managed as shallow water habitat
7	Historically cropland	Reestablished native grass, with small trees in waterway	35	8	45	100	Sediment removal and reuse, managed as shallow water habitat
8	Historically cropland	Reestablished native grass, with small trees in waterway	7	8	16	115	Sediment removal and reuse, managed as shallow water habitat

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